Case 5:07-mj-70481-MRGD Document 4 Filed 08/12/08 Page 1 of 1 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

					OF CHLINORINE	
	UNITED STATI	ES OF AMERICA, I		Case Number	CR-07-70	1401 401
	Jose Con	treras-Caster	nede Defendant	ORDER OF D	CR-07-70 ETENTION PENDING T	RIAL
	In accord	lance with the Bail I	Reform Act 19 TT C. c.	21/12/40 - 4-4	hearing was held on ${\underline {\it 8/}}$,
	Defendant was pr	esent represented h	whice attorneys	$\frac{3142(1)}{2}$, a detention	hearing was held on $\mathbb{Z}/$	/2 ,200
	Assistant U.S. At	torney C. Mo	Ymolally A. V	unnass. Th	hearing was held on 2/ the United States was repre	sented by
	PART I. PRESIM	PTIONS APPLICABLE	enceux.			
· · · ·	/ / The	defendant is al-	Er La del anno			
	Convicted of a price	retenuant is charged	with an offense describe	ed in 18 U.S.C. § 314	42(f)(1) and the defendant	t has been
	offense, and a peri	od of not more than	in 18 U.S.C. § 3142(f)(1) five (5) years has elabor) while on release pe	42(f)(1) and the defendant ending trial for a federal, so conviction or the release of	state or local
	imprisonment, wh	chever is later.	(-)) -ard mad onapse	or strice file date of CC	inviction or the release of	the person from
	This estab	lishes a rebuttable n	resumption that no so-4			
	safety of any other	person and the com	minite	mon or combination	of conditions will reasons	ably assure the
	/ / There	is probable cause by	and was the state			
	defendant has com				Part IV below) to believe	
	A	_ for which a maxir	num term of imprisonme	ent of 10 years or mor	re is prescribed in 21 U.S.	G 0.00
	B.					.C. § 801 et
	<u> </u>	ches a rebuttoble	924(c): use of a firearm	during the commissi	on of a felony	
	appearance of the de	AND STOCKHARIE IN	EXIIDED DOM That was asserted		on of a felony. If conditions will reasonab	oly assure the
			and the safety of the con	nmunity.		Ay Educate Life
	PADE TI DEDICATE	sumption applies.		"		
	PART II. REBUTTAI	OF PRESUMPTIONS	S, IF APPLICABLE			
1	vill be ordered detai	endant has not come ned.	forward with any evider	nce to rebut the appli	cable presumption[s], and	I he therefore
	/ / The defe	endant has come for	ward with evidence to re	L		
., . <u>.</u>			water what ovidence to le	out the applicable pro	esumption[s] to wit:	
	Thus, the bur	den of proof shifts 1	pack to the United States.			
P	ART III. PROOF (W	HERE PRESIMENTO	NS REBUTTED OR INAPP			
• • • •	+# The Unit	ed States has prove	no rebuited or inapp	LICABLE)		
· . w	ill reasonably assure	the appearance of t	to a preponderance of the defendant as required	he evidence that no c	condition or combination	of conditions
	/ / The Unit	ed States has been	ne defendant as required	, AND/OR		\ .
W.	ill reasonahiv accure	the enforce of	oy clear and convincing	evidence that no cor	ndition or combination of	conditions
P	Dr IV Whreen T	me satety of any off	her person and the comm	unity.		
	LC IV. WRITTEN I	INDINGS OF FACT A	ND STATEMENT OF REA	SONS FOR DETENTIO	N .	
	Ve The Com	i nas taken into acco	NIDIT the factors set out in	10 TEO OF BOAR AND A		n instruction
. at.	, , ,		fendo V is ch	ared with		
	- wing	uninta,	The detendant	Y has three		RUSCE 1326.
- 11	brigge a d	angereres me	apon: ellecal	slantus: an	July July W	Tructures 3
: <u>-4</u>	myery on a	ADINISO. He	has two cas		of infliction 10	sport
_()	orde	Se and Do	has a some	1 10 01	an se alleged	y Liolated
	ered orders	including	Parall Van	e fictation	· the politices	2007
	my mil	to supervice		to to mare	when that he de	els sot
	/ / Defendant,	his attorney, and the	AUSA have waived wri	unes.		
PAR	ET V. DIRECTIONS I	EGARDING DETENT	MONE TOOM HEAD MAINED MIL	men findings.		
· ,	The defendant is co	mmitted to the cust	odri o Sati - itu i			
опесн	Ons facility senarate	to the extent	ouy of the Attorney Gene	eral or his designated	representative for confin	ement in a
The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a opportunity for persons awaiting or serving sentences or being held in custody pending						
ppeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver						
- www U	antou blates of on th	request of an attor	ney for the Government,	the person in charge	of the corrections facility	roboli delle
TO MOTO	adant to the United	states Marshal for th	ne purpose of an appearan	nce in connection wit	th a coint process:	suan deliver
•	SUAINR		•	() V	oour proceeding.	
ated:				Vanhinin)	1. hu 1 0	7.
USA_	, ATTYP	rs		PATRICIA V TO	- Jumele 4	

United States Magistrate Indoe